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October 27, 1999

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VIA COURIER

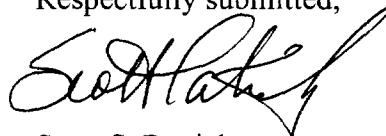
Magalie Roman Salas, Esquire
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Ms. Salas:

On behalf of Channel 42 of Little Rock, Inc., licensee of KYPX(TV), Little Rock, Arkansas, there are transmitted herewith an original and five copies of its *Petition for Rule Making* proposing a substitution of channel 44 for channel 43 as the station's paired DTV allocation.

If any additional information is needed in connection with this matter, please contact me.

Respectfully submitted,



Scott S. Patrick

Enclosure

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Amendment of Section 73.622(b))
Table of Allotments,)
Digital Television Broadcast Stations)
(Little Rock, Arkansas))
)

RECEIVED
OCT 27 1999
MM Docket No. _____
RM- _____
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

**PETITION FOR RULE MAKING
TO AMEND THE DTV TABLE OF ALLOTMENTS**

Channel 42 of Little Rock, Inc. ("Channel 42"), licensee of KYPX(TV), Little Rock, Arkansas, by its attorneys and pursuant to Sections 1.401 and 73.622(a) of the Commission's Rules (47 C.F.R. §§1.401 and 73.622(a)), hereby respectfully petitions the Commission to institute a rulemaking to amend Section 73.622(b), the DTV Table of Allotments, by substituting channel 44 as the station's paired DTV allocation for the transition period in lieu of channel 43, as originally allotted. As set forth in greater detail in the attached Technical Exhibit, the proposed substitution would permit Channel 42 to co-locate the station's analog and digital facilities.

The reference point for the station's DTV allotment is the previously authorized site of KYPX(TV)'s analog facilities. Since the release of the initial DTV Table of Allotments, the Commission granted a request by Channel 42 to relocate the station's antenna site to 34-47-56

W; 92-29-44 N.¹ Channel 42 constructed the new analog facilities and placed them into operation, and the Commission has granted the license to cover.²

To obtain the benefits of shared broadcast facilities and avoid the burden of operating and maintaining separate analog and digital facilities, Channel 42 wishes to relocate the antenna site for KYPX-DT to the currently authorized analog site. Unfortunately, if the station operated on the allocated DTV channel 43, such a relocation would result in a severely reduced ERP to protect a vacant NTSC allotment on channel 43 at El Dorado, Arkansas. To avoid reduced ERP, Channel 42 accordingly has identified channel 44 as a permissible substitute for KYPX's DTV allotment at the relocated site. The channel and location change for KYPX-DT would improve DTV service for viewers in the Little Rock, Arkansas DMA by allowing Channel 42 to co-locate and share the analog and digital facilities and to avoid a reduction in digital coverage. The public interest would be served by the more efficient use of the broadcast spectrum.

As demonstrated in the Technical Exhibit, KYPX-DT's proposed service area encompasses the community of license as required,³ and the proposed amendment conforms with the Commission's *de minimis* interference standard.⁴

WHEREFORE, for the foregoing reasons, Channel 42 respectfully requests that the Commission initiate a rule making proceeding to amend Section 73.622(b) of its Rules to substitute channel 44 for channel 43 for use by KYPX-DT at the specified reference point in Little Rock, Arkansas. The amendment would serve the public interest because the changes

¹ See FCC File No. BLCT-980415KE.

² See *Broadcast Actions*, Rep. No. 44566 (rel. Sept. 8, 1999).

³ 47 C.F.R. §73.623(c)(1).

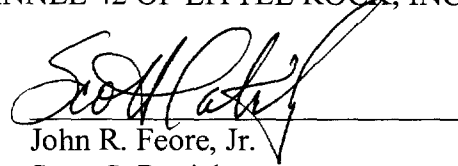
⁴ 47 C.F.R. §73.623(c)(2).

proposed herein will enable KYPX-DT to provide better coverage to its service area, resulting in a more efficient use of the broadcast spectrum.

Respectfully Submitted,

CHANNEL 42 OF LITTLE ROCK, INC.

By:

A handwritten signature in black ink, appearing to read "Scott Patrick", is written over a horizontal line.

John R. Feore, Jr.

Scott S. Patrick

Its Attorneys

Dow, Lohnes & Albertson, PLLC
1200 New Hampshire Avenue, N.W.
Suite 800
Washington, D.C. 20036-6802
202-776-2000

Dated: October 27, 1999

ATTACHMENT

Technical Exhibit

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
STATION KYPX-DT
LITTLE ROCK, ARKANSAS

Technical Statement

This Technical Statement and associated Figures have been prepared on behalf of KYPX-DT in support of a *Petition for Rule Making* to modify the DTV allotment of KYPX-DT from channel 43 to channel 44.

DTV channel 44 can be substituted and allotted to Little Rock, Arkansas in compliance with the principle community coverage requirements of Section 73.625(a) at reference coordinates:

34° 47' 56" West Latitude
92° 29' 44" North Longitude

The proposed DTV reference coordinates are also the geographic coordinates of the licensed KYPX(TV) NTSC facility.¹

In addition, operation on DTV channel 44 appears possible with an effective radiated power (ERP) of 1000 kW utilizing a directional antenna envelope provided in Figure 1 and an antenna height above average terrain (HAAT) of 334 meters and a radiation center of 461 meters above mean sea level. The proposed channel change is acceptable under the 2 percent criterion for *de minimis* impact applicable to DTV allotment modifications under Section 73.623(c)(2).

¹ See FCC File Number: BLCT-980415KE.

Therefore, it is proposed to modify KYPX-DT's authorization to specify operation on the alternate DTV channel with the following specifications:

State & City	DTV Channel	DTV ERP (kW)	Antenna Radiation Center	Antenna HAAT (m)
AR, Little Rock	44	1000 kW	461 m AMSL	334 m
Note: For Directional Antenna Pattern See Figure 1				
Reference Coordinates: 34° 47' 56" N. Latitude/92° 29' 44" W. Longitude				

It is also proposed to amend the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, as follows:

City	Channel No.	
	Present	Proposed
Little Rock, AR	12c, 22, 30, 32, 43c , *47	12c, 22, 30, 32, 44 , *47

Background

Station KYPX-DT is currently allotted channel 43 for its DTV operation with an effective radiated power of 139.7 kW and an HAAT of 156 meters. The proposed DTV allotment reference site, which is also the presently licensed KYPX NTSC Channel 42 transmitter site, is located 45 kilometers west of the presently allotted reference site.

KYPX-DT is requesting to substitute its DTV channel since the presently authorized DTV channel is limited in the effective radiated power it can achieve at its licensed KYPX-DT NTSC transmitter site. KYPX-DT on Channel 43 cannot radiate more than 9 kilowatts effective radiated power to protect an application for a vacant NTSC Channel 43 at El Dorado, Arkansas at its NTSC radiation

center.² Therefore, in order to replicate its licensed NTSC service area, another channel is required.

Proposal

Figure 1 is the relative field pattern and tabulation for the proposed Channel 44 pattern. Figure 2 is a coverage map showing the licensed Grade B coverage contour and the herein proposed facility noise-limited coverage contour. Also shown are the city limits of Little Rock based on 1990 Census data. As indicated, all of Little Rock is located within the noise-limited coverage contour. Therefore, the proposed channel 44 DTV allotment will comply with the city coverage requirements contained in Section 73.625(a). Furthermore, the proposed channel 44 DTV operation will provide full replication of the current NTSC channel 42 coverage.

Figure 3 provides a summary of interference and service for the proposed channel 44 allotment. Determination of interference and service was based on the procedures outlined in OET Bulletin No. 69 and criteria contained in Sections 73.622 and 73.623 of the FCC's rules.³ It is believed that the proposed channel 44 operation is in

² The limiting El Dorado application is FCC File Number BPCT-961001LE.

³ The du Treil, Lundin & Rackley, Inc. DTV interference analysis program is based on the program and procedures outlined by the FCC in the Sixth Report and Order; subsequent Memorandum Opinion and Order; and FCC OET Bulletin No. 69. A nominal grid size resolution of 2 km was employed. An Alpha based processor computer system was employed. The results have been found to be in very close agreement with the results of the FCC implementation of OET Bulletin No. 69.

full compliance with the FCC's 2%/10% interference criteria.

Conclusion

Channel 44 can be substituted for the current DTV channel 43 allotment of KYPX-DT in compliance with the FCC's rules concerning DTV allotment changes.

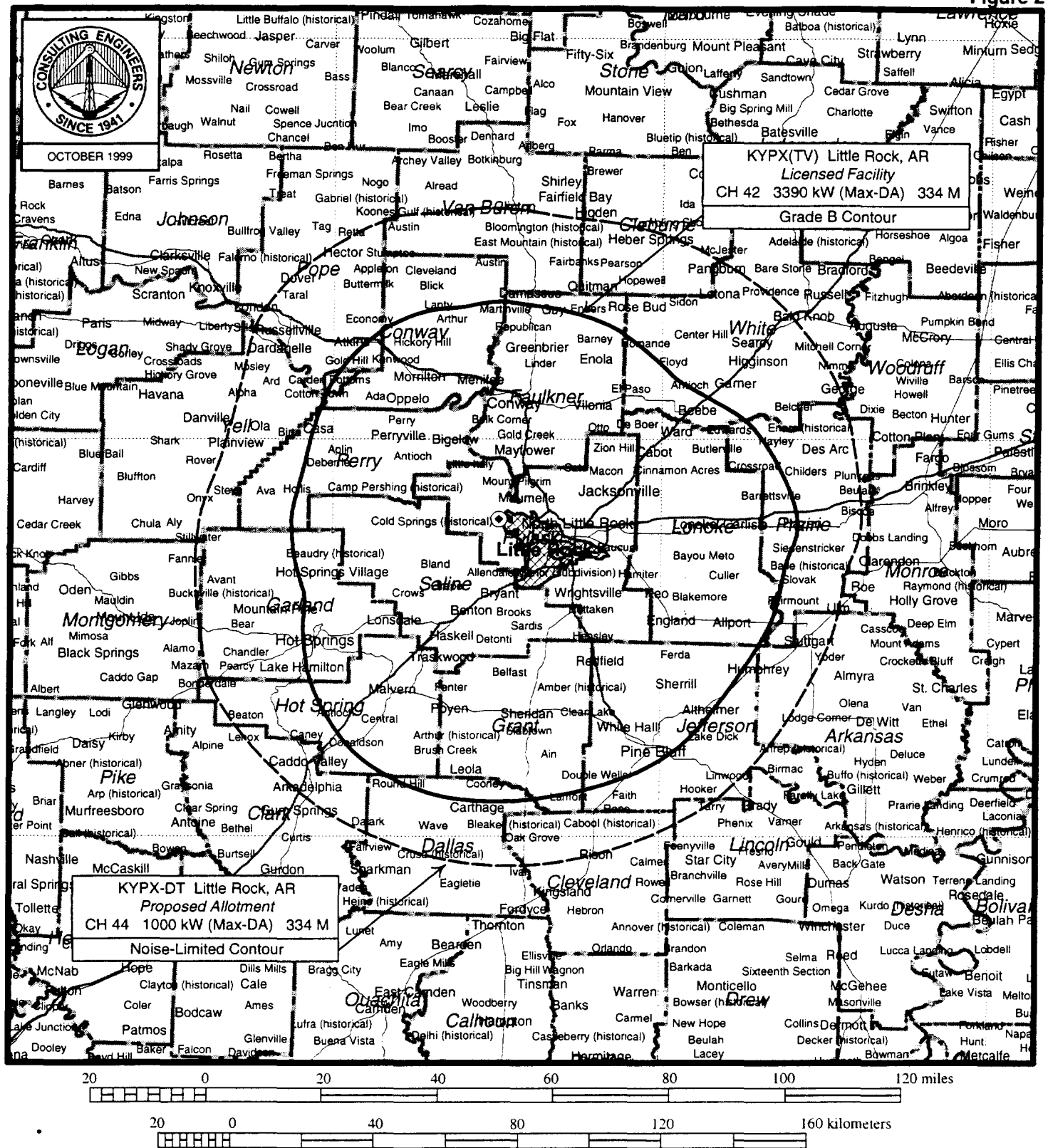
A handwritten signature in dark ink, appearing to read 'Charles Cooper', with a long, sweeping horizontal line extending to the right.

Charles Cooper

du Treil, Lundin & Rackley, Inc.
201 Fletcher Avenue
Sarasota, Florida 324237
941.329.6000

October 22, 1999

Figure 2



FCC PREDICTED COVERAGE CONTOURS

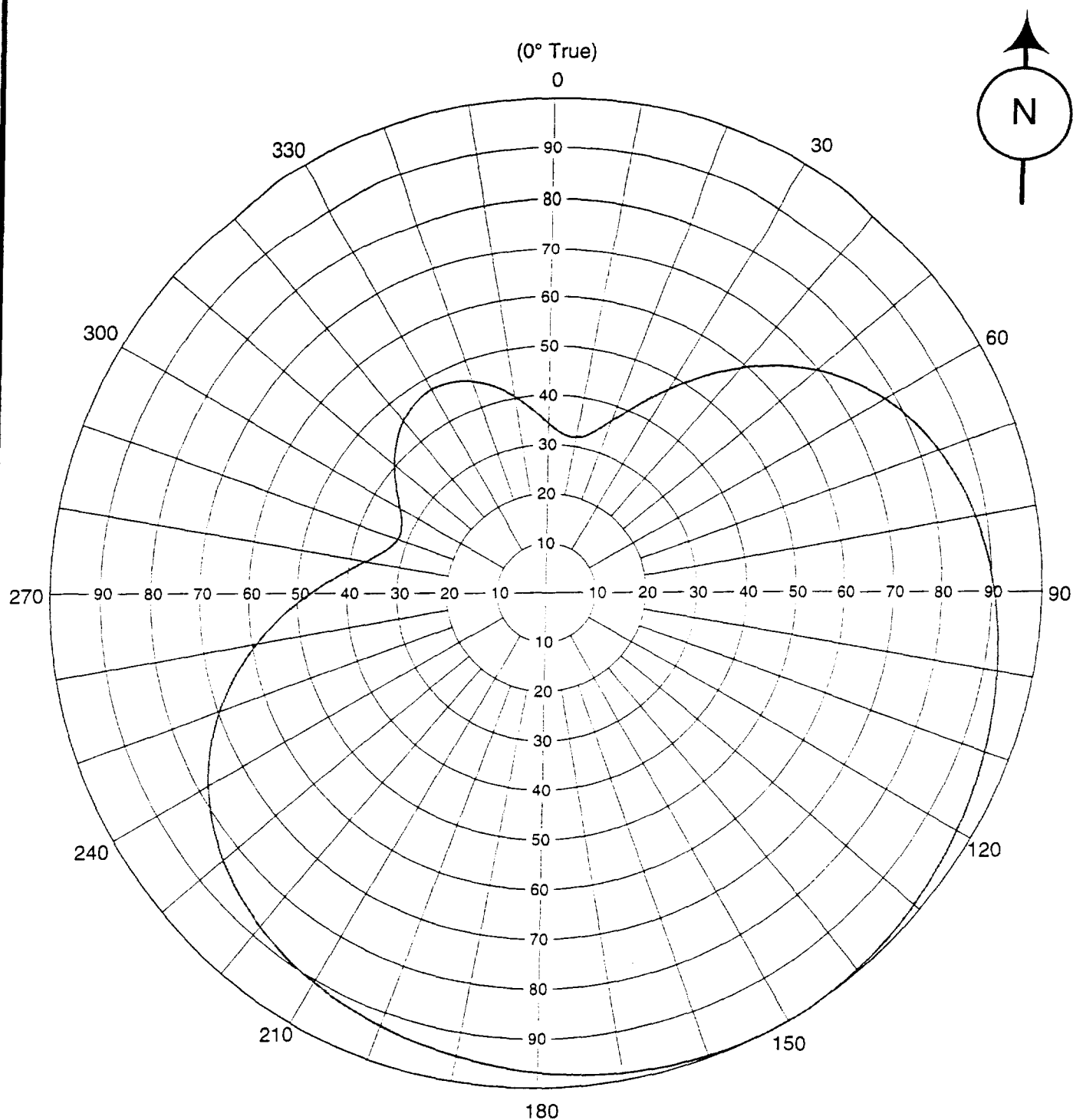
TELEVISION STATION KYPX LITTLE ROCK, ARKANSAS

du Treil, Lundin & Rackley, Inc., Sarasota, Florida

TECHNICAL EXHIBIT
PREPARED IN SUPPORT OF
PETITION FOR RULE MAKING TO
MODIFY THE DTV ALLOTMENT TABLE
STATION KYPX-DT
LITTLE ROCK, ARKANSAS

Summary of Allocation Analysis

Facility	Channel	NTSC or DTV?	Baseline Service Population (1990)	Permissible IX(%)	Net New IX Caused by Proposed (1990)	Percent of Baseline (%)
KKAP(TV) Little Rock, AR	36	NTSC	887,000	2.0	0	0.00
KYPX(TV) Little Rock, AR	42	NTSC	699,000	2.0	0	0.00
WDTL-TV Greenville, MS	44	NTSC	179,000	2.0	146	0.08
KYTV-DT Springfield, MO Allotment	44	DTV	735,000	2.0	2,493	0.34
KYTV-DT Springfield, MO Application	44	DTV	713,000	2.0	310	0.04
KSHV-DT Shreveport, LA Allotted Facility	44	DTV	618,000	2.0	394	0.06
KSHV-DT Shreveport, LA 200 kW Assumed	44	DTV	664,000	2.0	1,767	0.27
KTPX(TV) Okmulgee, OK	44	NTSC	822,699	2.0	0	0.00
KAFT-DT Fayetteville, AR	45	DTV	706,000	2.0	0	0.00



DIRECTIONAL ANTENNA HORIZONTAL PLANE PATTERN

TELEVISION STATION KYPX
LITTLE ROCK, ARKANSAS

du Treil, Lundin & Rackley, Inc. Sarasota, Florida

★

Angle:	Field
0	0.343
10	0.319
20	0.369
30	0.474
40	0.591
50	0.697
60	0.780
70	0.839
80	0.878
90	0.906
100	0.928
110	0.949
120	0.968
130	0.985
140	0.996
150	1.000
160	0.996
170	0.985
180	0.968
190	0.949
200	0.928
210	0.906
220	0.878
230	0.839
240	0.780
250	0.697
260	0.591
270	0.474
280	0.369
290	0.319
300	0.343
310	0.403
320	0.455
330	0.475
340	0.455
350	0.403

★ Referenced to 0°T

DIRECTIONAL ANTENNA HORIZONTAL PLANE TABULATION

TELEVISION STATION KYPX
LITTLE ROCK, ARKANSAS

du Treil, Lundin & Rackley, Inc. Sarasota, Florida